**THE HON'BLE SRI JUSTICE P.S.NARAYANA**

**W.P.NO.13023 OF 2006**

**DATED; 10.7.2006**

**BETWEEN:**

Kunchala Papi Naidu … petitioner.

And

District Collector/Election Authority,
Srikakulam district and others. … respondents.

**THE HON'BLE SRI JUSTICE P.S.NARAYANA**

**W.P.NO.13023 OF 2006**

**ORDER:**

Heard the counsel.

The writ petition is filed for a writ of mandamus declaring the action of the third respondent without following the procedure or without taking any decision on one independent nomination receipt No.27 deleting the petitioners name from contesting candidates list and declaring the fourth respondent as en elected candidate unanimously as illegal, improper and unjust and to pass suitable orders.

Sri Prabhakar Rao states that the rules contemplate only withdrawal of candidature and no withdrawal of nomination. Even otherwise, the learned counsel would submit that if any contravention of rules to be complained, the same to be by way of Election Petition.

It is needless to say that the petitioner is having remedy by way of Election Petition and hence, this court is not inclined to interfere.

The writ petition is accordingly dismissed. No order as to costs.

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10.7.2006.

mdaa/smr